



February 1, 2002

SENATE BILL No. 18

DIGEST OF SB 18 (Updated January 31, 2002 9:02 AM - DI 106)

Citations Affected: IC 35-42; noncode.

Synopsis: Sexual battery. Provides that a person commits sexual battery when, with the intent to arouse or satisfy a person's sexual desires, the person touches another person who is unaware that the conduct is occurring.

Effective: July 1, 2002.

**Wyss, Alexa, Wheeler,
Young R Michael**

November 20, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
January 31, 2002, reported favorably — Do Pass.

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SB 18—LS 6066/DI 106+



February 1, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 18

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-42-4-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) A person who,
3 with intent to arouse or satisfy the person's own sexual desires or the
4 sexual desires of another person, touches another person when that
5 person is:
6 (1) compelled to submit to the touching by force or the imminent
7 threat of force; ~~or~~
8 (2) **unaware that the conduct is occurring; or**
9 (3) so mentally disabled or deficient that consent to the touching
10 cannot be given;
11 commits sexual battery, a Class D felony.
12 (b) An offense described in subsection (a) is a Class C felony if:
13 (1) it is committed by using or threatening the use of deadly force;
14 (2) it is committed while armed with a deadly weapon; or
15 (3) the commission of the offense is facilitated by furnishing the
16 victim, without the victim's knowledge, with a drug (as defined in
17 IC 16-42-19-2(1)) or a controlled substance (as defined in

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1 IC 35-48-1-9) or knowing that the victim was furnished with the
2 drug or controlled substance without the victim's knowledge.
3 SECTION 2. [EFFECTIVE JULY 1, 2002] **IC 35-42-4-8, as**
4 **amended by this act, applies to acts committed after June 30, 2002.**

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SENATE MOTION

Mr. President: I move that Senators Wheeler and Young R Michael
be added as coauthors of Senate Bill 18.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 18, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 18 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 9, Nays 0.

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